Remarks

Claims 1-9, 11-19, 21 and 22 are pending in the application and stand rejected.

Claim rejections

Section 112

Claims 1, 21 and 22 were rejected under 35 USC 112, first paragraph as not providing enablement for $t_F = AF \times t^2_A$. Specifically, the units are alleged to be inconsistent. The Applicant respectfully traverses. For consistency, the expression should be interpreted as t_F (seconds) $= AF \times (t_A)^2$ (seconds). Withdrawal of the rejection under 35 USC 112, first paragraph is respectfully requested.

Claims 1-9, 11-19, 21 and 22 were further rejected under 35 USC 112, first paragraph as not being supported by either a specific and substantial asserted utility or a well-established utility. The Applicant respectfully traverses. The claims relate to a machine-readable medium storing computer-executable instructions to perform a method of estimating a life of a product. This has a well-established utility. The estimate helps determine product reliability. As pointed out in the specification at page 2, second paragraph, "the commercial viability of any product may be strongly determined by the product's reliability as potential users will not spend a significant sum of money on an unreliable product. The vital importance of product reliability spurred the emergence of Reliability Engineering as an engineering discipline that devotes itself to establishing, maintaining, and evolving the reliability of a product." Withdrawal of the rejection of claims 1-9.11-19, 21 and 22 under 35 USC 112, first paragraph is therefore respectfully requested.

Claims 1, 21 and 22 were further rejected under 35 USC 112, 2nd paragraph as not identifying the meaning of the terms in the expression $t_F = AF \times t^2_A$. Withdrawal of this rejection is respectfully requested in view of the amendments set forth above.

Section 101

Claims 1-9, 11-19, 21 and 22 were rejected under 35 USC 101. The Applicant respectfully traverses. The specification discloses that the method according to the invention may be "embodied in a computer software program compatible with any computer operating system" (first paragraph, page 24). In order to be compatible with a computer operating system, it is inherent that the computer software program would be stored on a machine-readable medium. Therefore, the claims are statutory and supported by the specification. Withdrawal of the rejection under 35 USC 101 is respectfully requested.

Section 102

Claims 1-9, 11-19, 21 and 22 were rejected under 35 USC 102(a) as being anticipated by the ADI Reliability Handbook (hereafter, "ADI"). The Applicant respectfully traverses. The rejected claims are allowable over ADI for at least the reason that ADI does not disclose the relationship $t_F = AF \times t_A^2$ as required by independent claims 1, 21 and 22.

The Examiner points to equation (1) on page 11 of ADI as corresponding to the claimed relationship. The Applicant respectfully disagrees. The alleged equivalent formula, t1/t2, is simply a linear ratio. The claimed relationship, by contrast, is a quadratic function. ADI does not show a quadratic relationship as claimed.

Accordingly, claims 1, 21 and 22 are allowable over ADI. Claims 2-9 and 11-19 are likewise allowable over ADI for at least the reasons that they include the features of claim 1 by dependency thereon. Withdrawal of the rejection of claims 1-9, 11-19, 21 and 22 as anticipated by ADI is therefore respectfully requested.
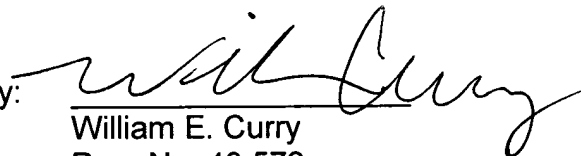
Conclusion

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication
to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: APRIL 25, 2006   By: _____
                                   William E. Curry
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